

SUPPORT FOR THE AMENDMENTS

Claims 1, 3-6, 8, and 9 are amended.

Claims 11-19 are added.

Support for the amendment of Claims 1, 3-6, 8, and 9, as well as the introduction of Claims 11-19, is provided by, at least, page 3, line 20 to page 8, line 26 of the specification.

No new matter has been added by the present amendments.

REMARKS

Claims 1-19 are pending in the present application.

At the outset, Applicants wish to thank Examiner Yu for the recognition that Claims 4, 5, 8, and 9 are free from the art and allowable. The subject matter of these claims are that the metal oxide complex powder is obtained by polymerization in the presence of (a) a transition metal complex (Claims 4 and 8) or (b) a halogenated copper and an organic compound capable of coordination with copper (Claims 5 and 9). Claim 1 has been amended to provide these alternatives for the metal oxide complex powder.

The rejections of: (a) Claim 1 under 35 U.S.C. §102(b) over Ito (JP 02-048038), (b) Claims 1-3, 6, 7, and 10 under 35 U.S.C. §102(b) over Yoshinaga (JP 05-287213), and (c) Claims 1-3, 6, 7, and 10 under 35 U.S.C. §102(b) over Suzuki (JP 06-336558), are obviated by amendment.

As the Examiner recognizes, Ito, Yoshinaga, and Suzuki fail to disclose or suggest the subject matter of previously presented Claims 4, 5, 8, and 9. Consistent with this recognition, Claim 1 has been amended to specify that the metal oxide complex powder is obtained by polymerization in the presence of (a) a transition metal complex (Claims 4 and 8) or (b) a halogenated copper and an organic compound capable of coordination with copper (Claims 5 and 9). Applicants submit that none of Ito, Yoshinaga, and Suzuki disclose or suggest this limitation in Claim 1. As such, Claim 1 is not anticipated by any of Ito, Yoshinaga, and Suzuki. Further, since Claims 2-19 depend from Claim 1, these claims are also free from the disclosures of Ito, Yoshinaga, and Suzuki.

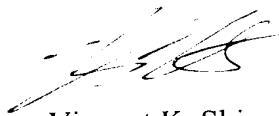
Withdrawal of these grounds of rejection is requested.

Finally, the Examiner has crossed through JP 02-048038 on the IDS filed July 7, 2010, indicating that this reference was not filed with a translation. It is curious that the Examiner has crossed this reference off as not having been considered, when this reference forms the basis of a rejection of Claim 1 (see above). Clearly, the Examiner did consider JP 02-048038 and should have, at the very least, listed it on an Examiner's list of references (i.e., Form PTO-892). To ensure completeness of the file for this application, Applicants submit herewith a new Form PTO-1449 listing JP 02-048038 and accompanied by an English Abstract of the cited reference.

Applicants submit that the present application is now in condition for allowance. Early notification of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.  
Norman F. Oblon



Vincent K. Shier, Ph.D.  
Registration No. 50,552

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413-2220  
(OSMMN 08/03)